IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

THURSDAY, THE 5TH JULY 2007 / 14TH ASHADHA 1929

OP.No. 9420 of 1998(U)

PETITIONERS:
----

1. **SUNTEC TYRES LTD., XV/768, VIYYUR, PERINGAVU P.O., THRISSUR 680 018, REP.BY MANAGING DIRECTOR.**

2. **BANTEC RUBBERS PRIVATE LIMITED, XV/768, SHORANNUR ROAD, P.O. PERINGAVU, THRISSUR 680 018, REP.BY ITS DIRECTOR.**

3. **SUNTEC TUBES (INDIA) PRIVATE LIMITED, XV/768, SHORANNUR ROAD P.O., PERINGAVU, VIYYUR, THIRSSUR 680 018, REP.BY ITS CHIEF EXECUTIVE.**

BY ADV. SRI.V.GIRI

RESPONDENTS:
----

1. **STATE OF KERALA REP.BY THE SECRETARY TO GOVERNMENT, POWER DEPARTMENT, SECRETARIATE , GOVT.OF KERALA, THIRUVANANTHAPURAM.**

2. **KERALA STATE ELECTRICITY BOARD REP.BY ITS SECRETARY, VYDYUTHIBHAVANAM, PATTOM PALACE P.O., THIRUVANANTHAPURAM.**

3. **THE SPECIAL OFFICER (REVENUE), KERALA STATE ELECTRICITY BOARD, VYDYUTHI BHAVANAM, PATTOM PALACE P.O., THIRUVANANTHAPURAM.**

**4. THE CHIEF ENGINEER (THERMAL & COMMERCIAL,)
KERALA STATE ELECTRICITY BOARD, VYDYUTHI BHAVANAM,
PATTOM PALACE P.O., THIRUVANANTHAPURAM.**

**BY ADV. SRI.R.K.VENU NAYAR, SC, KSEB
SRI.P.SANTHALINGAM, SC, KSEB
BY GOVERNMENT PLEADER SRI.P.N.SANTHOSH
BY ADV.SRI. C.K.KARUNAKARAN, SC.**

THIS ORIGINAL PETITION HAVING BEEN FINALLY HEARD ON 05/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

OP. NO.9420/1998

ORDER ON CMP. NO.16016/1998 IN OP. NO.9420/1998

DISMISSED

05.07.2007 SD/- C.N.RAMACHANDRAN NAIR, JUDGE

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1:- COPY OF THE BOARD DT. 12.12.97.

EXT.P2:- COPY OF THE GOVERNMENT ORDER NO.G.O.3/98 /PD DT. 23.1.98.

EXT.P3:- COPY OF THE BOARD ORDER NO.236/98 DT. 31.1.98.

EXT.P4:- COPY OF THE COMMUNICATION SENT BY 1ST PETITIONER TO EXECUTIVE ENGINEER DT. 31.1.98.

EXT.P5:- COPY OF THE COMMUNICATION SENT BY 2ND PETITIONER TO EXECUTIVE ENGINEER DT. 31.1.98.

EXT.P6:- COPY OF THE COMMUNICATION SENT BY 4TH RESPONDENT TO 2ND PETITIONER DT. 6.2.98.

EXT.P7:- COPY OF THE COMMUNICATION SENT BY 4TH RESPONDENT TO 3RD PETITIONER DT. 6.2.98.

EXT.P8:- COPY OF THE COMMUNICATION SENT BY 4TH RESPONDENT TO 2ND PETITIONER DT. 6.2.98.

EXT.P9:- COPY OF THE INVOICE RELATING TO 1ST PETITIONER FOR THE MONTH OF FEBRUARY 1998.

EXT.P10:- COPY OF THE INVOICE RELATING TO 1ST PETITIONER FOR THE MONTH OF MARCH 1998.

EXT.P11:- COPY OF THE INVOICE RELATING TO 1ST PETITIONER FOR THE MONTH OF APRIL 1998.

EXT.P12:- COPY OF THE INVOICE RELATING TO 2ND PETITIONER FOR THE MONTH OF FEBRUARY 1998.

EXT.P13:- COPY OF THE INVOICE RELATING TO 2ND PETITIONER FOR THE MONTH OF MARCH, 1998.

OP. NO.9420/1998

EXT.P14:- COPY OF THE INVOICE RELATING TO 2ND PETITIONER FOR THE MONTH OF APRIL 1998.

EXT.P15:- COPY OF THE INVOICE RELATING TO 3RD PETITIONER FOR THE MONTH OF FEBRUARY 1998 .

EXT.P16:- COPY OF THE INVOICE RELATING TO 3RD PETITIONER FOR THE MONTH OF MARCH 1998.

EXT.P17:- COPY OF THE INVOICE RELATING TO 3RD PETITIONER FOR THE MONTH OF APRIL 1998.

EXT.P.18:- COPY OF THE ORDER IN CMP. NO.15474/98 IN NO.9174/98 OF THIS HONOURABLE COURT DT. 22.5.98.

/TRUE COPY/

P.A. TO JUDGE

tss

C.N.RAMACHANDRAN NAIR, J.

.....

O.P. No.9420 of 1998

.....

Dated this the 5th day of July, 2007.

JUDGMENT

Since the issue raised is covered by judgment of this court in O.P. No.9174/1998 dated 8.8.2006, this O.P. is also disposed of following the said judgment and with the same findings, observations and directions as contained in that judgment. The respondents will revise the bills and grant consequential relief to the petitioners.

C.N.RAMACHANDRAN NAIR
Judge

pms